

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARLON L. ROBERSON,

Petitioner,

v.

D. PEERY, Warden,

Respondent.

No. 2:22-cv-00519 DB P

ORDER

Petitioner, a state prisoner proceeding pro se and in forma pauperis, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner proceeds on a First Amended Petition (ECF No. 12) and supplement (ECF No. 15). (See ECF No. 16.) On April 5, 2023, the court ordered respondent to file a response to the habeas petition. (Id.) The briefing schedule was subsequently vacated pending the court's ruling on defendant's motion to consolidate this case with another case. (ECF No. 22.) On November 3, 2023, the court declined to consolidate the cases but related them and re-numbered the other case 2:22-cv-01557-DAD-DB (HC). The court will now set a briefing schedule for petitioner's habeas petition and supplement.

In accordance with the above, IT IS HEREBY ORDERED as follows:

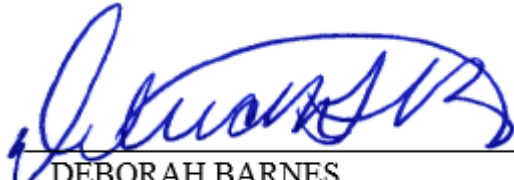
1. Respondent is directed to file a response to petitioner's habeas petition within sixty days from the date of this order. See Rule 4, 28 U.S.C. foll. § 2254. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, 28 U.S.C. foll. § 2254;

1           3. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be  
2 filed and served within thirty days after service of the answer; and

3           4. If the response to the habeas petition is a motion, petitioner's opposition or statement  
4 of non-opposition to the motion shall be filed and served within thirty days after service of the  
5 motion, and respondent's reply, if any, shall be filed and served within fourteen days thereafter.

6           DATED: January 31, 2024

7           DLB7  
8           robe0519.sched

  
9           DEBORAH BARNES  
10           UNITED STATES MAGISTRATE JUDGE